

REMARKS

Applicant hereby affirms the election of Group I, covering claims 24-27, for prosecution. Claims 28-49 are withdrawn.

Claims 24 and 25 have been rejected under 35 U.S.C. 102(b) as being anticipated by Dellinger (4,360,341). Claim 24 have been amended to more clearly claim point out that the application aids are formed on the outer surface of the applicator. Claim 24 now reads "aligning the fastening part on the tooth surface with the help of the applicator using aids formed on the outer surface of the applicator." The "aids" on the applicator are defined in the specification as including a pointer 35 to indicate the y-direction, at least one angulation pointer 36 which indicates the x-direction, and torque indicators 38 which indicate the z-direction. These aids are used to align the orthodontic device on the tooth. The Dellinger patent discloses creating a model of the patient's teeth, bonding the bracket to the replica tooth, forming the fixture to the model, and then removing all the parts and using the pre-formed fixture to attach the bracket to the patient's teeth. Dellinger does not disclose any "aids" located on the fixture to align the bracket on the tooth. Further, because the fixture is preformed, the bracket does not have to be aligned on the tooth. The bracket is in essence pre-aligned in the same position that the bracket was fixed on the replica tooth. Dellinger's fixture is placed over the tooth, rather than aligning the orthodontic device as in the present application. Further, the present application discloses a much less complicated method of attaching an orthodontic fastener than Dellinger. The present invention utilizes a standard applicator which is not preformed to each patient's teeth. Claim 24 is now believed to be in condition for allowance.

As dependent claim 25 depends from independent claim 24, which is now believed to be in condition for allowance, claim 25 is also believed to be in condition for allowance.

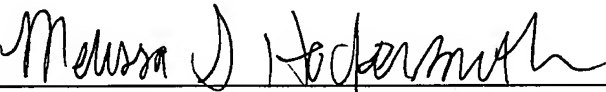
Claim 26 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Dellinger. The Examiner states that Dellinger discloses the claimed method except for the orthodontic fastening part and the protector part being attached in a preassembled manner. The Examiner states that modifying Dellinger by integrally combining the two pieces would be obvious to one of skill in the art. As dependent claim 26 depends from independent claim 24, which is now believed to be in condition for allowance, claim 25 is also believed to be in condition for allowance.

Claim 27 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Dellinger in view of Podszun et al. (5,921,779). The Examiner states that Dellinger discloses the claimed method

with the exception of using a polymerization lamp for curing the dental adhesive, which is disclosed in Podszun et al. As dependent claim 27 depends from independent claim 24, which is now believed to be in condition for allowance, claim 27 is also believed to be in condition for allowance.

Allowance of amended claim 24 and claims 25-27, inclusive, is respectfully requested.

Respectfully Submitted,

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